



Montgomery County Council

From the Office of Councilmember Howard Denis

For Immediate Release

September 27, 2005

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**DENIS INTRODUCES ZONING TEXT CHANGE TO CHANGE
COUNTY RESTRICTIONS ON RESIDENTS' YARD SIGNS**

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Councilmember Howard Denis today introduced a zoning text amendment that would do away with certain County restrictions on the right of County residents to display signs in front of their homes throughout the year.

"I am introducing this ZTA today to address First Amendment issues raised by the ACLU and community concerns," said Councilmember Denis. "These concerns first came to light at the September 8 public hearing on my measure to limit the height of homes in certain areas in order to address, in a modest way, the mansionization trend.

"Over the summer, residents of Overbrook Road in Bethesda posted signs protesting the construction of a large replacement house on their street. The County Department of Permitting Services responded by issuing notices to the homeowners that directed them to remove the signs or apply for a permit -- or face fines.

"The ACLU of Maryland weighed in and has indicated that they believe this requirement in our sign ordinance violates the First Amendment.

"I agree. County residents should have the right to speak their minds on public policy issues – whether it's mansionization, the war in Iraq, property taxes or whatever – by putting signs in their yards. And they ought to have that 'free speech' right year-round, not just for a narrow window of time around election-time.

"This ZTA addresses this by exempting certain signs on private property from the permit requirement of the County's Sign Ordinance. The County Attorney's Office has worked on this matter with the ACLU of Maryland, and they have indicated that this ZTA satisfactorily addresses the constitutional concerns."

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